

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

ANTHONY WESTBROOK

PLAINTIFF

VS.

CASE NO.: 4:13-CV-0415 JMM

DEPUTY CALVIN REED;
SHERIFF BRUCE PENNINGTON;
JOHN and JANE DOES I-V; and
COUNTY OF SALINE

DEFENDANTS

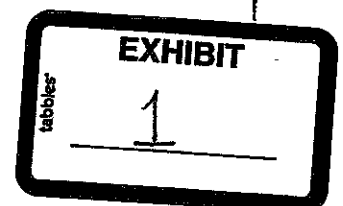
ORAL DEPOSITION

OF

ANTHONY WESTBROOK

(Taken February 18, 2014, at 1:40 p.m.)

LEE ANN DICKENS, CCR
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1 extremely belligerent about being put in the
2 restraint chair." Is that true?

3 A No.

4 Q Okay.

5 What part of that statement is not true?

6 A I was not resisting or being belligerent and the
7 video proves it.

8 Q "After strapping Inmate Westbrook's arms in the
9 chair, Deputy Reed and myself wheeled Inmate
10 Westbrook into the courtroom and finished strapping
11 him in the chair." Is that true?

12 A That is not true.

13 Q What is the case?

14 A After I was strapped into the chair, Deputy Reed
15 placed his hands around my throat, choked me, threw
16 me against the wall with the chair and knocked my
17 crown out of my mouth.

18 Q "At this time Corporal Griffin and Deputy
19 McGuire arrived in the courtroom to assist." Is that
20 true? Did they show up, those two?

21 A I do know McGuire did. I'm not familiar with
22 Griffin.

23 Q But they showed up. All right.

24 Now, let's go back over what Reed did. He
25 choked you?

1 A Yes. He did.

2 Q And did -- when he -- did your head hit the
3 wall?

4 A Yes. It did.

5 Q Okay.

6 A My whole every -- I don't know if my -- when he
7 grabbed me, I was sitting like this (indicating). My
8 arms were already strapped down so I couldn't have
9 been resisting. I was already strapped down. I have
10 the pictures of the bruises from what they did to me.

11 Q I understand.

12 A And he grabbed me -- and when he grabbed me, the
13 force from -- his force picked me and the chair up
14 against the wall. And when he went to move his
15 elbow, hit me right in the mouth and knocked my crown
16 out.

17 Q Uh-huh.

18 A And then he turned around and was mocking me.

19 Q What did he do to mock you?

20 A Used slurs, made a comment about knocking my
21 teeth out that was overheard by several people.

22 Q Who might have overheard that?

23 A Just --

24 Q You don't know?

25 A Well, some of the people that are on the witness

1 list, I'm sure.

2 Q We're going to get to them in a minute. We'll
3 get to them in a minute.

4 Anything else about -- oh. So you were rolled
5 into what we call the courtroom?

6 A Uh-huh. Yes.

7 Q And how long were you in the courtroom?

8 A I was in the restraint chair for over 4 hours.

9 Q Four (4) hours?

10 A Yes, sir.

11 Q Okay.

12 A Over 4.

13 Q All right.

14 Did you make any noise of any kind while you
15 were in the restraint chair?

16 A Yes. I did.

17 Q What did you do?

18 A I asked for help.

19 Q Okay.

20 Did you -- let's look at these over here again.

21 THE COURT REPORTER: Were you wanting to
22 mark those?

23 MR. ELLIS: I'm going to go ahead, yeah,
24 and mark. I wasn't going to, but I changed
25 my mind.

1 see him slinging them across the floor. And then he
2 grabs my throat and throws me and the chair against
3 the wall.

4 Q Now, I'm going to show you a picture and ask if
5 you can identify that picture?

6 A Yes.

7 Q Tell us what that represents.

8 A This is him setting me in the chair and putting
9 the restraints on and this is the one who
10 strip-searched me. This officer.

11 Q Now, show us what this one is. After you're
12 restrained, what happens next, Tony?

13 A He had the paperwork and, you know --

14 Q Had the paperwork?

15 A -- shoved it in my face and then slung it across
16 the floor and then he came and grabbed me by the
17 throat.

18 Q As you described to Mr. Ellis a minute ago?

19 A Yes. Grabbed me by the throat and his force of
20 him grabbing me by the throat knocked me and the
21 chair up against the wall.

22 Q Okay.

23 A And then after that, he -- when he went to, you
24 know, get the chair -- his -- he hit me in the mouth
25 with his elbow.

1 Q Okay.

2 What happened next?

3 A And then he wheeled me -- and at that time my
4 mother and everybody is still watching this whole
5 thing. That's why he took me to the courtroom out of
6 their sight.

7 Q Now, did he say anything in your presence to
8 other officers?

9 A He was mocking that, you know, he had knocked my
10 tooth out.

11 Q Did he say I knocked that MF --

12 A Yes.

13 Q -- tooth --

14 A Yes.

15 Q And he told these other officers --

16 MR. ELLIS: Mr. Swindoll, don't prompt
17 the witness now.

18 A Well, I don't like to use those words, but he
19 did call me, you know, a faggot and all kinds of
20 things. Yes. He did.

21 Q (By Mr. Swindoll) Okay.

22 A And it was overheard.

23 Q Okay.

24 Now, at any time did you try to strike Officer
25 Reed or do anything to offend him?

1 A No. I --

2 Q Did you even speak with him before he put his
3 hands on you?

4 A No. I didn't even know him.

5 Q Did he tell what he was doing?

6 A No.

7 Q He didn't tell you why he was doing it?

8 A No.

9 Q Did you yell for help?

10 A Yes.

11 Q Did the officers see this going on?

12 A Yes.

13 Q Did they assist you or protect you from Calvin
14 Reed?

15 A No.

16 Q Even though you asked them to?

17 A Yes.

18 Q Okay.

19 MR. SWINDOLL: That's just for our
20 motions later, Bucky.

21 **EXAMINATION**

22 BY MR. ELLIS:

23 Q Now, you say your mother and some other person
24 were witnesses?

25 A Yes.